



**U.S. Department of Justice**

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December 12, 2005

**BY FACSIMILE**

Mr. Francis A. Ogundare  
President, Board of Directors  
Southern Delaware Center for Children and Families, Inc.  
Fax # (302) 629-6704

Ms. Carolyn Williams  
Director  
Southern Delaware Center for Children and Families, Inc.  
Fax # (302) 628-3001

Re: United States Department of Health and Human Services. v. Southern Delaware Center for Children and Families, Inc. ("Southern Delaware") et al., No. 05-809 (D. Del.)

Dear Mr. Ogundare and Ms. Williams:

I write regarding the above-referenced action. As you know, on December 7, 2005, the United States District Court for the District of Delaware ordered you and the other Defendants to, among other things:

- "Immediately turn over to CDI or DHHS all vehicle keys and titles possessed by Southern Delaware that were purchased with Head Start funds, and all equipment and supplies that Southern Delaware possesses that were purchased with Head Start funds;" and
- "Immediately provide DHHS with a final inventory that lists all equipment Southern Delaware acquired with Head Start funds or that it is otherwise federally owned."

As I write this letter on the afternoon of December 12, 2005, I understand that the Defendants have not complied with the above-described parts of the Court's Order.

Specifically, the Defendants have not provided DHHS with a "a final inventory that lists all equipment Southern Delaware acquired with Head Start funds or that it is otherwise federally owned." The document that was faxed to DHHS on Wednesday, December 7, 2005, does not appear to be a final inventory because, with one exception, the items listed in the document were counted in

March, 2004. Moreover, that document does not list any vehicles that Southern Delaware purchased with Head Start funds. Accordingly, I ask that, consistent with the Court's Order, the **Defendants immediately provide DHHS with a final inventory that lists all equipment – including all vehicles – that Southern Delaware acquired with Head Start funds or that it is otherwise federally owned.** The inventory must be up-to-date; a document that lists equipment acquired as of 2004 will not suffice.

The Defendants have also failed to turn over to CDI or DHHS all vehicle keys and titles possessed by Southern Delaware that were purchased with Head Start funds. I understand that keys to eight buses have been turned over, and that no titles have been turned over. Accordingly, I ask that, consistent with the Court's Order, the **Defendants immediately turn over all vehicle keys and titles possessed by Southern Delaware that were purchased with Head Start funds.**

Mr. Ogundare told me over the phone today that he would call me tomorrow morning with an update as to when the United States can expect the Defendants to comply with these requests. I look forward to speaking with you then. Please do not hesitate to contact me with any questions. I can be reached at (302) 573-6209.

Yours truly,

COLM F. CONNOLLY  
United States Attorney

By: /s/ Seth M. Beausang  
Seth M. Beausang (I.D. No. 4071)  
Assistant United States Attorney